

No. 4678 P. 2

PTO/SB/61 (10-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)	Docket Number (Optional) 25247B
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First Named Inventor: Shaffer

Application Number: 10/699,534

Filed: October 31, 2003

Title: DUCT INSULATION HAVING CONDENSATE WICKING

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Art Unit: 3749

Examiner: Brinson

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☐ Small entity - fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 500.00 (37 CFR 1.17(l)).

2. Reply and/or fee

A The reply and/or fee to the above-noted Office action in the form of _____ (Identify the type of reply):

☐ has been filed previously on _____

☐ is enclosed herewith.

B The issue fee of \$ _____

☐ has been filed previously on _____

☒ is enclosed herewith.

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(e). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

APR 24 2006

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.



Signature

Maria C. Gasaway

Typed or printed name

4/24/06

Date

51,721

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

DIRECTOR IS HEREBY AUTHORIZED TO CHARGE REQUIRED FEES TO US DEPOSIT
ACCOUNT NUMBER 50-0568

Applicant submitted the issue fee and publication fee via facsimile on January 30, 2006. A copy of this submission is enclosed as Exhibit A.

The docket clerk mistakenly sent this document to the previous facsimile number for acceptance of issue fees. The previous facsimile number had been coded into the facsimile machine for automatic transmittal. The docket clerk was not aware that a new facsimile number had been issued, therefore it was not coded into the machine. Although the fees were timely authorized and transmitted, they were not received by the Patent Office. It had been assumed that the documents were successfully transmitted until the docket clerk checked the status of the application on PAIR.

This Petition is being filed diligently upon Applicant's detection of clerical error.

(Please attach additional sheets if additional space is needed.)

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

M. Gasaway

Signature

Maria C. Gasaway

Typed or printed name

2790 Columbus Road, Bldg. 11-7

Address

Granville, Ohio 43023-1200

Address

4/24/06

Date

51,721

Registration Number, if applicable

(740) 321-7213

Telephone Number

Enclosure ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unavoidable delay☐**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

4/24/06

Date

Jan Rostasa

Signature

Jan Rostasa

Typed or printed name of person signing certificate

EXHIBIT A

P. 1

* * * Memory TX Result Report (Jan. 30. 2006 10:38AM) * * *

1) Owens Corning
2) 7403218024

Date/Time: Jan. 30. 2006 10:31AM

File No. Mode	Destination	Pg(s)	Result	Page Not Sent
3708 Memory TX	PTO:ISSUE FEES	P. 2	E-3) 3)	P. 1-2

Reason for error

E. 1) Hang up or line fail
E. 2) No answer
E. 3) Exceeded max. E-mail size

E. 2) Busy
E. 4) No facsimile connection

OWENS CORNING SCIENCE & TECHNOLOGY CENTER
PATENT DEPT., BLDG. 54
2790 COLUMBUS ROAD, ROUTE 18
GRANVILLE, OHIO 43022-1200



FAX TRANSMITTAL

Date: January 30, 2006

No. of Pages: 2 (including this page)

To: Issue Fees

From: Jan Hostasa

Of: USPTO

Fax: (740) 321-8024

Fax: (703) 746-4000

Phone: (740) 321-7168

SUBJECT: Issue Fee Transmittal

Serial No.: U.S. Patent Application 10/699,534, filed October 31, 2003

I hereby certify that the Issue Fee transmittal for the above noted case is being transmitted to Issue Fees, at the U.S. Patent and Trademark Office (Fax No. (703) 746-4000) on January 30, 2006.

January 30, 2006 (Date of Deposit)	Jan Hostasa (Name of Depositor)
	<i>Jan Hostasa</i> (Signature)

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